

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES THRONE,

Plaintiff,

v.

ANDREW M. SAUL,
Commissioner of Social Security,¹

Defendant.

3:19-CV-128
(JUDGE MARIANI)

FILED
SCRANTON

JUN 26 2020

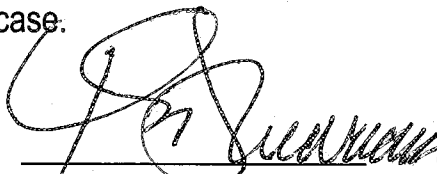
PER

DEPUTY CLERK

ORDER

AND NOW, THIS 26th DAY OF JUNE 2020, upon review of Magistrate Judge Gerald B. Cohn's Report and Recommendation (R&R) (Doc. 12) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 12) is **ADOPTED** for the reasons discussed therein.
2. The Commissioner of Social Security's decision is **VACATED**.
3. The Clerk of Court is directed to **REMAND** this case to the Commissioner for further proceedings consistent with the R&R and this order.
4. The Clerk of Court is directed to **CLOSE** this case.


Robert D. Mariani
United States District Judge

¹ At the time that this case was filed, the Acting Commissioner of Social Security was Nancy A. Berryhill, and thus, plaintiff named her as the defendant. Andrew M. Saul became the Commissioner of Social Security on June 17, 2019. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, as the new Commissioner of Social Security, Andrew M. Saul is automatically substituted for the original defendant. FED. R. Civ. P. 25(d).